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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,663	10/23/2001	Saverio Paonessa	62,827-015	2081

26127 7590 10/30/2003

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EXAMINER

DRAPER, DEANN L

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 10/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/001,663

Applicant(s)

PAONESSA, SAVERIO

Examiner

Deanna L. Draper

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-25 is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6,8,9 and 12-14 is/are rejected.
- 7) ☒ Claim(s) 3,4,7,10,11 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

*Acknowledgements*

The Information Disclosure Statement filed by the Applicant on October 23, 2001 is acknowledged.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Lutz (US 5,562,301). Lutz discloses an assembly for mounting an air bag including an air bag module (12 in Fig. 1) having at least three unformed locating features (22 in Fig. 1) extending from a base (14 in Fig. 2) for guiding the air bag module into a mountable position on a vehicle component (18 in Fig. 1), where the unformed locating features are shaped to a predetermined size (see threaded area on 22 in Fig. 1). Regarding Claim 5, the method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation has not been given patentable weight.

Claims 8, 9, 12, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Takada (US 4,793,631). Takada discloses a vehicle support which is a steering wheel (11, 12 in Fig. 3) having a set of at least three unformed locating features (24 in Fig. 3) for guiding an airbag module into a mountable position on the vehicle support, and shaping the set of unformed

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locating features to a predetermined size (See Col. 3, line 5 - 24 is a bolt, and the threads of the bolt are shaped). Regarding Claim 12, the method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation has not been given patentable weight.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lutz as applied to claim 1 above, and further in view of Allard et al. (US 5,239,147). Lutz discloses the invention as claimed, however is not used with a floating horn system. Allard discloses a floating horn system, which may be used in combination with a driver side air bag in order to avoid injury to the driver when the air bag is deployed. Therefore it would have been obvious to modify Lutz by including a floating horn system with the driver side air bag, in order to avoid injury to the driver when the air bag is deployed, as taught by Allard.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takada as applied to claim 13 above, and further in view of Allard et al. (US 5,239,147). Takada discloses the invention as claimed, however is not used with a floating horn system. Allard discloses a floating horn system, which may be used in combination with a driver side air bag in order to

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avoid injury to the driver when the air bag is deployed. Therefore it would have been obvious to modify Takada by including a floating horn system with the driver side air bag, in order to avoid injury to the driver when the air bag is deployed, as taught by Allard.

*Allowable Subject Matter*

Claims 16 – 25 are allowed.

Claims 3, 4, 7, 10, 11, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ford (US 6,149,183) discloses a snap-in air bag module, connector and method of attachment. Papandreou (US 6,142,504) discloses a steering wheel and air bag assembly attachment to a steering shaft. Bachelder (US 4,915,410) discloses a vehicle air bag module and method of assembly. Aird (US 5,152,549) discloses a vehicle safety apparatus having a retainer for clamping an inflator against a support plate. Hartmeyer (US 5,064,218) discloses an air cushion restraint device. Ernst et al. (US 5,327,796) discloses a horn switch. Luo et al. (US 6,042,143) discloses an integrated steering wheel.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deanna L. Draper whose telephone number is 703-306-5939.

The examiner can normally be reached on Monday - Friday, 9:00 - 6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 703-308-2089. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

*DEANNO*  
**PATENT EXAMINER**

dld

*Paul N. Dickson* 10/6/03  
**PAUL N. DICKSON**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3600**